

15 CV 02048
CIVIL COVER SHEETJS 44C/SDNY
REV. 4/2014

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS
THE NATIONAL RETIREMENT FUND, et al.

DEFENDANTS
CAESARS ENTERTAINMENT CORPORATION, et al.

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
Schulte Roth & Zabel, LLP, 919 3rd Ave, New York, NY 10022,
212.756.2000

ATTORNEYS (IF KNOWN)
Akin Gump Strauss Hauer & Feld LLP, One Bryant Park, New York, NY 10036,
212.872.1000

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

29 U.S.C. § 1132(g). Payment of missed withdrawal liability payment, interest, liquidated damages, attorneys' fees and costs.

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No Yes Judge Previously Assigned

If yes, was this case Vol. Invol. Dismissed. No Yes If yes, give date _____ & Case No. _____

Is this an international arbitration case? No Yes

(PLACE AN IN ONE BOX ONLY)

NATURE OF SUIT

CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	ACTIONS UNDER STATUTES	OTHER STATUTES
[] 110 INSURANCE	[] 310 AIRPLANE	[] 367 HEALTHCARE/PHARMACEUTICAL PERSONAL INJURY/PRODUCT LIABILITY	[] 625 DRUG RELATED SEIZURE OF PROPERTY	[] 422 APPEAL 28 USC 158	[] 375 FALSE CLAIMS [] 400 STATE REAPPORTIONMENT	
[] 120 MARINE	[] 315 AIRPLANE PRODUCT LIABILITY	[] 365 PERSONAL INJURY	[] 21 USC 881	[] 423 WITHDRAWAL 28 USC 157	[] 410 ANTITRUST [] 430 BANKS & BANKING [] 450 COMMERCE [] 460 DEPORTATION	
[] 130 MILLER ACT	[] 320 ASSAULT, LIBEL & SLANDER	[] 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY	[] 690 OTHER		[] 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)	
[] 140 NEGOTIABLE INSTRUMENT	[] 325 FEDERAL EMPLOYERS' LIABILITY				[] 480 CONSUMER CREDIT [] 490 CABLE/SATELLITE TV	
[] 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	[] 340 MARINE PRODUCT LIABILITY	PERSONAL PROPERTY		[] 820 COPYRIGHTS [] 830 PATENT [] 840 TRADEMARK	[] 650 SECURITIES/COMMODITIES/EXCHANGE	
[] 151 MEDICARE ACT	[] 345 MARINE PRODUCT LIABILITY	[] 370 OTHER FRAUD			[] 890 OTHER STATUTORY ACTIONS [] 891 AGRICULTURAL ACTS	
[] 152 RECOVERY OF DEFOLTED STUDENT LOANS (EXCL VETERANS)	[] 350 MOTOR VEHICLE	[] 371 TRUTH IN LENDING				
[] 153 RECOVERY OF OVERPAYMENT OF VETERANS BENEFITS	[] 355 MOTOR VEHICLE PRODUCT LIABILITY			SOCIAL SECURITY	[] 893 ENVIRONMENTAL MATTERS [] 895 FREEDOM OF INFORMATION ACT	
[] 160 STOCKHOLDERS SUITS	[] 360 OTHER PERSONAL INJURY	[] 380 OTHER PERSONAL PROPERTY DAMAGE	LABOR	[] 861 HIA (1395f) [] 862 BLACK LUNG (923) [] 863 DIWC/DIWVW (405(g)) [] 864 SSID TITLE XVI [] 865 RSI (405(g))	[] 870 TAXES (U.S. Plaintiff or Defendant) [] 871 IRS-THIRD PARTY 26 USC 7809	[] 896 ARBITRATION [] 899 ADMINISTRATIVE PROCEDURE ACT/REVIEW OR APPEAL OF AGENCY DECISION
[] 190 OTHER CONTRACT	[] 362 PERSONAL INJURY - MED MALPRACTICE	[] 385 PROPERTY DAMAGE	STANDARDS ACT		[] 950 CONSTITUTIONALITY OF STATE STATUTES	
[] 195 CONTRACT PRODUCT LIABILITY		[] 463 ALIEN DETAINEE	[] 710 FAIR LABOR RELATIONS			
[] 196 FRANCHISE	ACTIONS UNDER STATUTES	[] 510 MOTIONS TO VACATE SENTENCE	[] 720 LABOR/MGMT RELATIONS			
	CIVIL RIGHTS	28 USC 2255	[] 740 RAILWAY LABOR ACT			
		[] 530 HABEAS CORPUS	[] 751 FAMILY MEDICAL LEAVE ACT (FMLA)			
		[] 535 DEATH PENALTY	[] 790 OTHER LABOR LITIGATION			
		[] 540 MANDAMUS & OTHER	[] 791 EMPL RET INC SECURITY ACT			
REAL PROPERTY	[] 440 OTHER CIVIL RIGHTS (Non-Prisoner)					
[] 210 LAND CONDEMNATION	[] 441 VOTING		IMMIGRATION			
[] 220 FORECLOSURE	[] 442 EMPLOYMENT	PRISONER CIVIL RIGHTS				
[] 230 RENT LEASE & EJECTMENT	[] 443 HOUSING/ACCOMMODATIONS	[] 550 CIVIL RIGHTS	[] 462 NATURALIZATION APPLICATION			
[] 240 TORTS TO LAND	[] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	[] 555 PRISON CONDITION	[] 465 OTHER IMMIGRATION ACTIONS			
[] 245 TORT PRODUCT LIABILITY	[] 446 AMERICANS WITH DISABILITIES - OTHER	[] 560 CIVIL DETAINEE CONDITIONS OF CONFINEMENT				
[] 290 ALL OTHER REAL PROPERTY	[] 448 EDUCATION					

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.?
IF SO, STATE: _____

DEMAND \$ 5,981,493.64 OTHER see*

JUDGE Kaplan

DOCKET NUMBER 15 CV 00138

Check YES only if demanded in complaint
JURY DEMAND: YES NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

* interest, liquidated damages and attorneys' fees and costs.

(PLACE AN X IN ONE BOX ONLY)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from (Specify District)	<input type="checkbox"/> 6 Multidistrict Litigation	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge Judgment
<input type="checkbox"/> a. all parties represented						
<input type="checkbox"/> b. At least one party is pro se.						

(PLACE AN X IN ONE BOX ONLY)

1 U.S. PLAINTIFF 2 U.S. DEFENDANT 3 FEDERAL QUESTION 4 DIVERSITY
(U.S. NOT A PARTY)

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF <input type="checkbox"/> 1 <input checked="" type="checkbox"/> 1	DEF <input type="checkbox"/> 1 <input type="checkbox"/> 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF <input type="checkbox"/> 3 <input type="checkbox"/> 3	DEF <input type="checkbox"/> 3 <input checked="" type="checkbox"/> 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF <input type="checkbox"/> 5 <input type="checkbox"/> 5	DEF <input type="checkbox"/> 5 <input type="checkbox"/> 5
CITIZEN OF ANOTHER STATE	<input type="checkbox"/> 2 <input type="checkbox"/> 2		INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	<input type="checkbox"/> 4 <input type="checkbox"/> 4		FOREIGN NATION	<input type="checkbox"/> 6 <input type="checkbox"/> 6	

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

The National Retirement Fund, 333 Westchester Avenue, White Plains, NY 10604, Westchester County;
Richard N. Rust, 6 Blackstone Valley Place, Suite 302, Lincoln, RI 02865, Providence County

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Caesars Entertainment Corporation, One Caesars Palace Drive, Las Vegas, NV 89109, Clark County;
Caesars Entertainment Resort Properties, LLC, One Caesars Palace Drive, Las Vegas, NV 89109, Clark County.

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

John Does 1-10

Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS MANHATTAN
(DO NOT check either box if this a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.)

DATE

3/18/15

SIGNATURE OF ATTORNEY OF RECORD

RECEIPT #

ADMITTED TO PRACTICE IN THIS DISTRICT

 NO YES (DATE ADMITTED Mo. 02 Yr. 1982)
Attorney Bar Code # 1769108

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)